

AMENDED IN ASSEMBLY JANUARY 12, 2000

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CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 96

Introduced by Assembly Member Shelley

December 10, 1998

An act to amend Section 1174.5 of the Labor Code, relating to wages and hours.

LEGISLATIVE COUNSEL'S DIGEST

AB 96, as amended, Shelley. Wages and hours.

Existing law requires employers to maintain and make available specified information and to allow access to specified labor officials, including members of the Industrial Welfare Commission, to their places of business, and subjects employers who willfully fail to do so to a civil penalty of \$500.

This bill would additionally subject an employer to that civil penalty for willfully failing to maintain accurate and complete records required by any applicable wage ~~orders~~ *order* of the commission.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 1174.5 of the Labor Code is~~
2 ~~amended to read:~~

1 ~~1174.5. Any person employing labor shall be subject to~~
2 ~~a civil penalty of five hundred dollars (\$500) if that person~~
3 ~~fails to do any of the following:~~

4 ~~(a) Maintain the records required by subdivision (c)~~
5 ~~of Section 1174.~~

6 ~~(b) Maintain accurate and complete records required~~
7 ~~by subdivision (d) of Section 1174.~~

8 ~~(c) Maintain accurate and complete records required~~
9 ~~by any applicable wage orders of the commission.~~

10 ~~(d) Allow any member of the commission or~~
11 ~~employees of the division to inspect records pursuant to~~
12 ~~subdivision (b) of Section 1174.~~

13 *SECTION 1. Section 1174.5 of the Labor Code is*
14 *amended to read:*

15 1174.5. (a) Any person employing labor who willfully
16 fails to maintain the records required by subdivision (c)
17 of Section 1174 or accurate and complete records
18 required by subdivision (d) of Section 1174 *or accurate*
19 *and complete records required by any applicable wage*
20 *order of the commission*, or to allow any member of the
21 commission or employees of the division to inspect
22 records pursuant to subdivision (b) of Section 1174, shall
23 be subject to a civil penalty of five hundred dollars (\$500).